

TEXAS TRANSPORTATION COMMISSION

Various County

MINUTE ORDER

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Various District

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

Submitted and reviewed by:

Recommended by:

DocuSigned by:

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Director, Contract Services Division

DocuSigned by:

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Executive Director

116058 July 29 2021

Minute
Number

Date
Passed

**EXHIBIT A
DONATIONS
July 29, 2021**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1	Amazon Data Services, Inc.	San Antonio District	Bexar	The donor is donating the design and construction for installation of approximately 800 linear feet (LF) of new frontage road (1 northbound lane, 1 southbound lane with shoulders) at north access point and approximately 370 LF of new driveway with restriping of existing lanes to accommodate southbound left turn lane at south access point on SH 211 located at Lambda Drive in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$350,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$350,000.00	6/23/2021
2	Bay Colony Expansion 369, Ltd.	Houston District	Galveston	The donor is donating the design and construction of a right turn lane from westbound FM 517 into the donor's development in League City, Galveston County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$89,000.00.	\$89,000.00	6/22/2021
3	Bellavista Homes LLC	San Antonio District	Guadalupe	The donor is donating the design and construction for left turn and right turn lanes on FM 1044 for a new public street serving the Highland Gardens Subdivision 1.6 miles south of IH 35 in New Braunfels, Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$270,000.00.	\$270,000.00	6/06/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
4	CF Squirrel SAT LLC	San Antonio District	Bexar	The donor is donating the design and construction of a traffic signal on S. IH 35 frontage road approximately 0.15 miles south of Fisher Road in San Antonio, Bexar County, Texas. All design and construction will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$380,000.00. <i>(Replaces previously acknowledged for TC Pursuit Services, Inc. on 4/29/21 due to a change in donor.)</i>	\$380,000.00	6/21/2021
5	CHTEX of Texas, Inc.	San Antonio District	Guadalupe	The donor is donating the design and construction of left turn and right turn lanes for Chianti Pass, a new public street serving the Winding Creek Unit 1 subdivision on FM 1044 approximately 0.78 mile south of County Road 374 (Weil Road) in New Braunfels, Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$480,600.00.	\$480,600.00	6/18/2021
6	Colonial Crossing Company II, Ltd.	Waco District	Bell	The donor is donating the design and construction of a left turn lane from FM 93 to enable the traveling public safe entrance into the Colonial Crossing Apartments Phase II in Belton, Bell County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$150,000.00.	\$150,000.00	6/07/2021
7	Daly Lane, LLC	Austin District	Caldwell	The donor is donating the design and construction of a left turn lane and deceleration lane at the driveway to the Poco Loco Travel Center on SH 21 at Yarrington Road in Kyle, Caldwell County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$53,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$53,000.00	6/17/2021
8	Dunham Pointe Development LLC	Houston District	Harris	The donor is donating the design and construction of traffic signal modifications at Mueschke Road on eastbound US 290 frontage road in Cypress, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$300,000.00.	\$300,000.00	6/18/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
9	EDF Renewables Development, Inc.	Abilene District	Nolan Jones Callahan Haskell Stonewall Shackelford	The donor is providing services to remove permanent signs and replace with temporary signs on skids in Nolan, Jones, Callahan, Haskell, Stonewall, and Shackelford Counties, Texas. They will then replace the permanent sign with a new one and stand back on permanent mounts. All work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$75,000.00.	\$75,000.00	6/06/2021
10	H-E-B, LP	San Antonio District	Guadalupe	The donor is donating the design and construction of a new traffic signal and median installation on FM 1103 at a new HEB driveway located approximately 0.1 miles east of the intersection of FM 1103 and Main Street, and the addition of a westbound right turn bay at the intersection of Main Street and FM 1103 in Cibolo, Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$370,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$370,000.00	6/07/2021
11	HK Potranco Oaks, LLC	San Antonio District	Medina	The donor is donating the design and construction of right turn deceleration lane, traffic control signage, striping and modification of drainage structures on FM 1957 appropriately 4.4 miles north of US 90 in Castroville, Medina County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$400,000.00.	\$400,000.00	6/11/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
12	HM Parkside Development, Inc.	Austin District	Georgetown	The donor is donating the design and construction of left turn and right turn deceleration lanes on RM 2243 at the Greenview Drive intersection in Georgetown, Williamson County, Texas. All design and construction will be provided by the donor, its consultant or contractor. The estimated value of the donation is \$1,200,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way. <i>(Replaces previously acknowledged on 5/27/2021 due to an increase in the estimated value from \$820,000.00 to \$1,200,000.00.)</i>	\$1,200,000.00	6/10/2021
13	HW 589 Holdings LLC	Houston District	Fort Bend	The donor is donating the design and construction of a right turn lane from northbound FM 762 into the donor's development in Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$130,000.00.	\$130,000.00	6/23/2021
14	Joe E. LaBay, Trust	Waco District	Bell County	The donor is donating the design and construction of a right turn deceleration lane from the US 190 frontage road (SW H.K. Dodgen Loop) to enable the safe entrance into the private property between South 13th Street and Scott & White Boulevard in Temple, Bell County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$100,000.00.	\$100,000.00	6/14/2021
15	Lennar Homes of Texas Land and Construction, Ltd.	San Antonio District	Guadalupe	The donor is donating the design and construction of left turn and right turn lanes for a new public street serving the Hilltop Meadows subdivision on FM 1044 approximately 0.33 mile north of West Klein Road in New Braunfels, Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$350,000.00.	\$350,000.00	6/07/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
16	Mines Road Community Developer, Inc.	Laredo District	Webb	The donor is donating the design and construction of one traffic signal at FM 1472 and Blue Ridge Pkwy/Verde Blvd in Webb County in Laredo, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$310,000.00.	\$310,000.00	6/04/2021
17	Park 8Ninety Phase V, LP	Houston District	Fort Bend	The donor is donating the design and construction of a right turn deceleration lane from eastbound US Highway 90 ALT into the donor's development in Missouri City, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$250,000.00. <i>(Replaces previously acknowledged on 11/12/2020 due to an increase in the estimated value from \$100,000.00 to \$250,000.00.)</i>	\$250,000.00	6/23/2021
18	Pulte Homes of Texas, L.P.	San Antonio District	Comal	The donor is donating the design and construction for the installation of left turn and right turn lanes on FM 1101 located approximately 0.95 miles north of FM 306 to 0.23 miles South of Kroesche Lane in New Braunfels, Comal County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$770,000.00.	\$770,000.00	6/07/2021
19	Pulte Homes of Texas, L.P.	Houston District	Montgomery	The donor is donating the design and construction of a left and right turn lane along SH 242 into the donor's development in Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$960,000.00. <i>(Replaces previously acknowledged on 6/30/2021 due to an increase in the estimated value from \$500,000.00 to \$960,000.00.)</i>	\$960,000.00	6/06/2021
20	QT South, LLC	Waco District	Bell	The donor is donating the design and construction of a 12-foot right turn deceleration lane, approximately 70 feet long, into the proposed QT South LLC development in Killeen, Bell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$120,000.00.	\$120,000.00	6/11/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
21	Republic Grand Ranch, LLC	Bryan District	Walker	The donor is donating the design and construction of pavement widening to accommodate a left turn lane on FM 1097 into the donor's property located in Walker County. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$200,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$200,000.00	6/06/2021
22	Starlight Homes Texas L.L.C.	San Antonio District	Bexar	The donor is donating the design and construction of traffic signal improvements at US 90 frontage road and WT Montgomery in Bexar County, Texas. The traffic signal is required for mitigation of traffic delays caused by a development project. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$290,000.00.	\$290,000.00	6/18/2021

**EXHIBIT B
DONATIONS
July 29, 2021**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1	Changing Lanes CDL School, LLC	Austin	Travis	The donor is donating \$1,710.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
2	Denver Dunlap Real Estate	Austin	Travis	The donor is donating \$1,760.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
3	Spanish Oaks Realty	Austin	Travis	The donor is donating \$1,440.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal contract on an existing sign location.
4	The Really Useful Information Company LLC DBA TRUiC.com	Austin	Travis	The donor is donating \$1,746.00 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
5	Adventure Forest LLC dba Go Ape	Dallas	Collin	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
6	The Really Useful Information Company LLC DBA TRUiC.com	Dallas	Collin	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
7	The Really Useful Information Company LLC DBA TRUiC.com	Dallas	Dallas	The donor is donating 5 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
8	The Really Useful Information Company LLC DBA TRUiC.com	Dallas	Rockwall	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
9	The Really Useful Information Company LLC DBA TRUiC.com	Fort Worth	Tarrant	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
10	The Really Useful Information Company LLC DBA TRUiC.com	Houston	Harris	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
11	Thomas OilField Services, LLC	Odessa	Midland	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
12	The Really Useful Information Company LLC DBA TRUiC.com	San Antonio	Bexar	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program